

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Nickey Gregory Company, LLC  
and Poppell's Produce, Inc.,

Plaintiffs,

v.

Robison Farms, LLC, and  
Cindy Robison,

Defendants.

C.A. Nos. 6:06-02070-HMH  
6:06-02144-HMH

**OPINION & ORDER**

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D&T Brokerage, Inc.,

Plaintiff,

v.

Robison Farms, LLC, and  
Cindy Robison,

Defendants.

Intervenor Plaintiffs Bench Mark Potato Co., Inc., CH Robinson Worldwide, Inc., and Leone Pizzini & Sons, Inc. failed to respond to this court's February 9, 2009 order requesting that the parties with pending claims respond as to the status of the pending claims within ten days. The court warned the parties that if no response was received, the court would dismiss the remaining claims for failure to prosecute. Having received no response, the court dismisses Bench Mark Potato Co., Inc., CH Robinson Worldwide, Inc., and Leone Pizzini & Sons, Inc.'s claims against the Defendants for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
United States District Judge

March 18, 2009  
Greenville, South Carolina